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FISCAL IMPACT STATEMENT

LS 7895

BILL NUMBER: SB 516

NOTE PREPARED: Feb 11, 2005

BILL AMENDED: Feb 10, 2005

SUBJECT: Victim Notification.

FIRST AUTHOR: Sen. Lubbers

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X **GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: (Amended) This bill permits establishment of an automated victim notification system within the Department of Correction and permits a crime victim to register for the system by telephone. The bill provides that the system automatically notifies a registered crime victim by telephone when:

- (1) a committed offender's status changes;
- (2) the offender is released or has escaped; or
- (3) the status of certain court cases changes.

The bill also provides that the system must notify residents of a sex offender living nearby. It allows a crime victim to obtain the most recent status of an offender by calling the system.

It also requires the Department of Correction to update the system frequently. The bill provides that there is no cause of action based on the system's failure to notify.

The bill also requires the sheriffs to assist the Department of Correction and provide personnel to coordinate data for victim notification services.

It permits the Victim and Witness Assistance Fund to provide funding for a victim notification system.

It also requires a sheriff or police chief of Indianapolis to notify the Department of Correction when a sex offender files a new sex offender registration form.

Effective Date: July 1, 2005.

Explanation of State Expenditures: (Revised) *Summary:* This bill establishes an automated victim notification system within the Department of Correction (DOC). It is estimated that this system could cost approximately \$676,000 M in FY 2006, approximately \$490,000 in FY 2007 with an annual cost of \$690,000 thereafter. The estimated costs reflect information provided by a vendor who currently contracts with Kentucky to provide a notification system. This bill does not contain an appropriation.

Background: Kentucky implemented the first Victim Information and Notification Everyday (VINE) system in 1994. The computerized system provides critical information pertaining to the whereabouts of inmates housed in both adult correctional facilities and local jails, as well as some juvenile offenders. VINE is made possible through building and maintaining interfaces with jail booking systems that accumulate information from each possible jail facility every 15 minutes.

Kentucky contracts with APPRIS, Inc. to provide a 24-hour, 7-day-a-week system. APPRIS estimates that startup costs for the Indiana VINE system will be approximately \$570,750. Furthermore, an additional \$689,400 will be needed annually to maintain the system (annual fees). Annual fees are broken down by county and are due only when individual counties are brought on-line. The state may experience additional startup expenditures from third-party jail booking software providers that may charge additional interface fees. These fees vary by provider and are unknown at this time [Note: This fiscal note will be updated if additional information becomes available].

Explanation of State Revenues: *Potential Federal Grant Funding:* The FY 2005 federal appropriations bill included \$8 M for the Bureau of Justice Assistance to launch a new grant program for state automated victim notification programs. The federal bill specifies that the grants given through this bill require a 50% match from state, local, or private sources. The funds have been appropriated, but a funding announcement has not been found to date.

While the bill specifically mentions automated victim notification systems, there is also the possibility of obtaining grants under the “Justice for All Act” (*H.R. 5107*). The Act provides \$5 M for FY 2005 through FY 2009 to be used to implement state-of-the-art systems for notifying victims of important dates and developments relating to the criminal proceedings.

To date, these funds have not been granted to Indiana. Although there is potential for grant funds, there is no guarantee that this money will be made available for use in implementing the provisions of this bill.

Explanation of Local Expenditures: This bill will have an indeterminable administrative cost impact on the local sheriffs and police departments. The bill requires the sheriffs and police chiefs to assist in the implementation of the system, as well as coordinate data for the system. The increase in expenditures as a result of this legislation is presumed to be able to be covered through the use of existing staff and resources.

This bill could result in an indeterminable administrative cost savings to local victim assistance entities. Notice is the single most expensive aspect of the Victim’s Bill of Rights. In establishing an automated system to contact individuals with perpetrator status reports, the system will allow more time for the local victim assistance staff to concentrate on other administrative duties. This savings is not estimated to be enough to allow these entities to operate with less personnel.

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected: Sheriffs; Police chiefs; Local victim assistance entities.

Information Sources: Susan Howley, 202-467-8700, National Center for Victim Notification; Richard Boone, Appriss, Inc.

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